

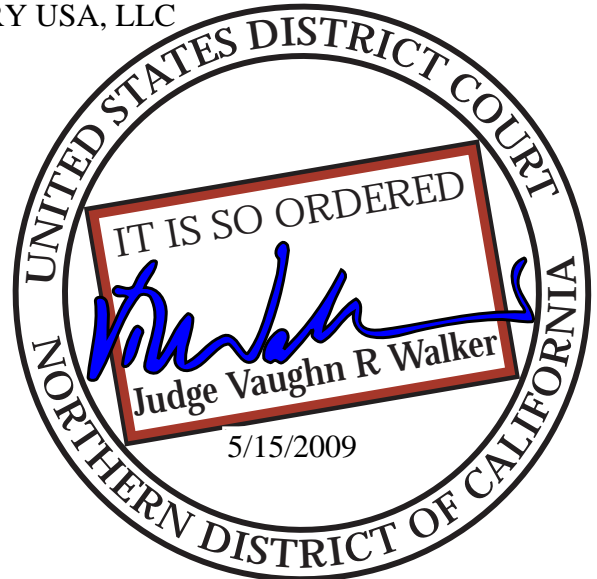
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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LAWRENCE CAMPBELL, TYSON  
KING, JOHN TOKACH, ROBERT  
GARRIS, STEWART PATEY, EUGENE  
PIERCE, DON SUTTON, STEVEN  
HOLMAN on their behalf and on behalf of  
all others similarly situated,

Plaintiffs,

vs.

SLEEP TRAIN, INC., dba SLEEP TRAIN  
MATTRESS CENTERS, MATTRESS  
DISCOUNTERS, SLEEP COUNTRY  
USA, and SLEEP TRAIN DEPOT, and  
Does 1 through 60 inclusive,

Defendants.

Case No. C 08-05759 VRW

**STIPULATION OF DISMISSAL**

Amended Complaint Filed: March 3, 2009

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2                   Plaintiffs Lawrence Campbell, Tyson King, John Tokach, Robert Garris, Stewart  
3 Patey, Eugene Pierce, Don Sutton, and Steven Holman, (“Plaintiffs”), and Defendants, The Sleep  
4 Train, Inc. and Sleep Country USA, LLC, have agreed to dismiss Civil Action No. C 08-5759 in  
5 its entirety with each party bearing its own costs and attorney’s fees, pursuant to Federal Rule of  
6 Civil Procedure 41(a)(1)(ii). The parties further agree not to use the dismissal as a “first  
7 dismissal” under Federal Rule of Civil Procedure 41(a)(1)(B) and that this dismissal shall have no  
8 effect on claims not asserted herein.  
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Dated: May 8, 2009

MANATT, PHELPS & PHILLIPS, LLP

By: /s/ John Fox

John C. Fox

Alison S. White

*Attorneys for Defendants,*

THE SLEEP TRAIN, INC. and SLEEP COUNTRY  
USA, LLC

Dated: May 8, 2009

LAW OFFICES OF DANIEL BERKO

By: /s/ Daniel Berko

Daniel Berko

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LAWRENCE CAMPBELL, et al

Dated: May 8, 2009

LAW OFFICES OF BURKE HANSEN

By: /s/ Burke Hansen

Burke Hansen

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*Pursuant to General Order No. 45, Section X(B) regarding signatures, John C. Fox hereby attests that concurrence  
in the filing of this document has been obtained.*